

Exhibit “R”

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FILED

2012 MAY 16 AM 10:01

IN THE SIXTH JUDICIAL DISTRICT COURT

IN AND FOR PERSHING COUNTY, STATE OF NEVADA

LACEY DONALDSON
DISTRICT COURT CLERK

No. CV 12-11321 *OBgt*

JIM SHIRLEY,
In His Capacity as District Attorney
Petitioner,
vs.

THE PERSHING COUNTY BOARD OF
OF COMMISSIONERS, PAT IRWIN
CAROL SHANK, AND DARIN BLOYED
IN THEIR OFFICIAL CAPACITY AS
COUNTY COMMISSIONERS,
Respondents,

ORDER GRANTING IN THE ALTERNATIVE THE PETITION FOR WRIT OF CERTIORARI,
MANDAMUS, AND/OR PROHIBITION

The above entitled matter came before the Court on the Petition for Writ of Certiorari, Mandamus, and/or Prohibition filed by the Pershing County District Attorney against the Respondents. The Court, having reviewed the Petition, does hereby find that the Petition has merit. The Court based upon this determination does hereby GRANT the Petition and does hereby order as follows:

A. The Board of Pershing County Commissioners, as a board and individually, are hereby ordered to file an answer to the Petition and thereby show cause, if there is any, why this Court should not enter an order directing compliance with statutory requirements, directing and ordering that the Pershing County Board of Commissioners:

1. Notify Black Rock City, LLC, that Black Rock City, LLC must file an application in accordance with NRS 244.3543 to hold the Burning Man Event in Pershing County in 2012;
2. Hold a hearing regarding the application in accordance with NRS 244.3544;

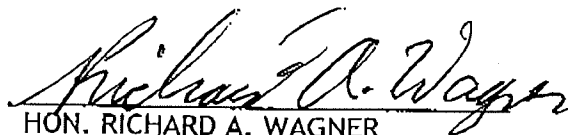
3. Comply with the other provisions under NRS Chapter 244 in relation to outdoor festivals;
4. Notify Black Rock City, LLC, that following the 2012 event, the Pershing County Board of Commissioners will no longer comply with any contractual provisions that exempts the Burning Man Event from the Festival Ordinance enacted pursuant to NRS 244.345; and
5. Refrain from allowing any agreements which would exempt any outdoor assembly from the requirement that the organizers of the assembly comply with the outdoor assembly provisions found in NRS Chapter 244.

B. In the event that the Board of Pershing County Commissioners agree in writing to implement the provisions as set forth above, the Court will enter an order accordingly without requiring a an answer or a hearing on the Petition.

C. Because of the short amount of time to hear this matter, the Board of Pershing County Commissioners shall have 20 days to file an Answer the Petition or make other satisfactory arrangements to deal with this matter.

DATED THIS 15th DAY OF MAY, 2012.

SIXTH JUDICIAL DISTRICT COURT


HON. RICHARD A. WAGNER
DISTRICT COURT JUDGE